

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
)	Case No. 1:06-CR-88
v.)	
)	Chief Judge Curtis L. Collier
)	
ERVIN MOORE)	

ORDER

On September 28, 2007, this Court received a letter from A.F. Beeler, Complex Warden of the Federal Bureau of Prisons in Butner, North Carolina, a Certificate for Restoration of Competency to Stand Trial, and a Forensic Evaluation of Erwin Moore (“Defendant”). The evaluation found Defendant to be competent to stand trial, and not to be suffering from a mental disease or defect to the extent he is unable to understand the nature and consequences of the proceedings filed against him or assist properly in his own defense. On November 21, 2007, Defendant filed a signed Waiver of Mental Competency with this Court.

Based upon this information United States Magistrate Judge William B. Carter has submitted a Report and Recommendation (“R&R”), recommending Defendant be found competent to stand trial on the basis of Defendant’s waiver and the report (Court File No. 31). This Court **ACCEPTS** and **ADOPTS** the R&R (Court File No. 31), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to stand trial.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE